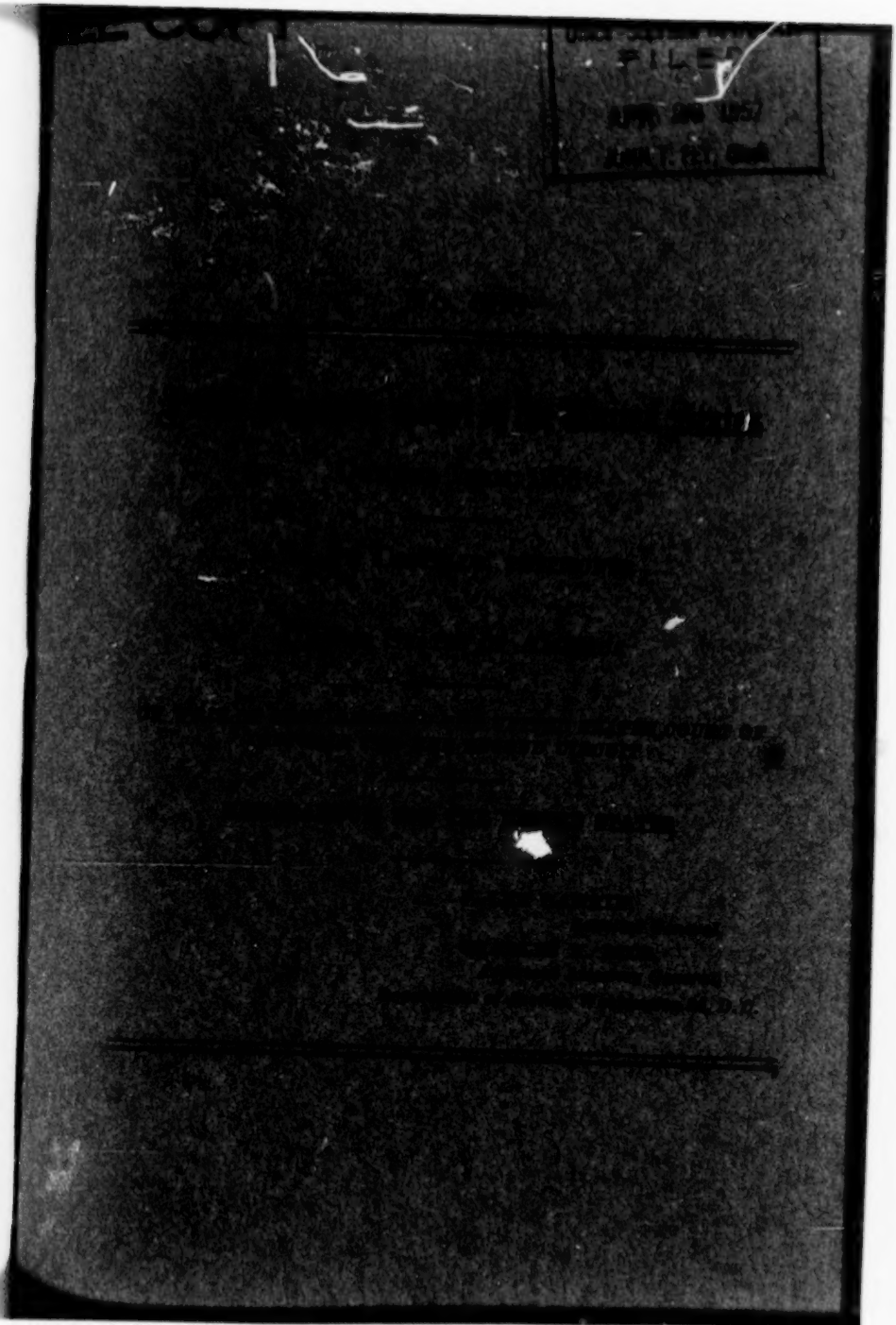

In the Supreme Court of the United States

OCTOBER TERM, 1956

No. 666

FRANK COSTELLO, PETITIONER

v.

UNITED STATES OF AMERICA

ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

MEMORANDUM FOR THE UNITED STATES

The questions presented in this case are substantially identical to those involved in Nos. 430 and 834, *Achilli* v. *United States*. For the reasons stated in its brief in the latter case, to which the Court is respectfully referred, the Government submits that the judgment of the Court of Appeals in the instant case should likewise be affirmed.

Respectfully submitted.

J. LEE RANKIN,
Solicitor General.
CHARLES K. RICE,
Assistant Attorney General.

APRIL 1957.

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